

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LAMONT WILLIAMS,

Plaintiff,

vs.

WILLIAM ADAMS, *et al.*,

Defendants.

Case No. 3:09-cv-00427-LRH-RAM

ORDER

Plaintiff submitted an unsigned Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 (#1-3). Although he submitted a signed financial certificate (#1), plaintiff did not pay the required filing fee of \$350.00, nor did he submit an Application to Proceed *In Forma Pauperis* with a copy of his inmate trust account statement, as required by 28 U.S.C. § 1915(a)(1) and (2) and Local Rules LSR 1-1 and 1-2. The Court notes, however, that the financial certificate plaintiff submitted indicates that the plaintiff has the means to prepay the \$350.00 filing fee in full.

IT IS THEREFORE ORDERED the Clerk of the Court shall send plaintiff a blank application form for an Application to Proceed *In Forma Pauperis* for incarcerated litigants and a blank civil rights complaint form with instructions. The Clerk of the Court shall return a copy of the complaint to the plaintiff.

IT IS FURTHER ORDERED that the action is **DISMISSED without prejudice** for plaintiff's commencement of a **NEW** action in which he either pays the filing fee in full or submits a complete Application to Proceed *in Forma Pauperis*, accompanied by a signed financial certificate and a statement of his inmate account. The Clerk of the Court shall enter judgment accordingly.

DATED this 10th day of August, 2009.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE